

EXHIBIT 10

1 IN THE UNITED STATES DISTRICT COURT

2 FOR THE DISTRICT OF MARYLAND

3 - - - - - x

4 MARYLAND SHALL ISSUE, :

5 INC., et al., :

6 Plaintiffs, : Civil Action No.

7 v. : 16-cv-3311-MJG

8 LAWRENCE HOGAN, et :

9 al., :

10 Defendants. :

11 - - - - - x

12
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14 Deposition of SUSAN BRANCATO VIZAS

15 Baltimore, Maryland

16 Tuesday, February 27, 2018

17 9:33 a.m.

18
19
20 Job No.: 178304

21 Pages: 1 - 60

22 Reported By: Sandra A. Slater, RPR, CSR

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Transcript of Susan Brancato Vizas

Conducted on February 27, 2018

14

1 A It is.

2 Q And what was his income in 2017?

3 A I want to say off the top of my head
4 63,000.

5 Q And how long has he worked at NEC?

6 A Since 2012.

7 Q And was his income approximately 63,000 in
8 2016?

9 A Approximately, I believe so.

10 Q What about 2015?

11 A Yes, it hasn't changed much.

12 Q 2014?

13 A It's probably a little less, but yeah,
14 right around there.

15 Q 2013?

16 A Yep.

17 Q About the same?

18 A About the same.

19 Q Do you have a computer in your home?

20 A We do.

21 Q All right. Do you have internet access?

22 A We do.

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1 Q Do you have a credit or debit card?

2 A Yes.

3 Q Do you have a Maryland driver's license?

4 A Yes.

5 Q Do you have access to a scanner?

6 A Yes.

7 Q Do you own any firearms?

8 A No.

9 Q Have you ever owned any firearms?

10 A No.

11 Q Does your spouse own any firearms?

12 A Yes.

13 Q How many?

14 A I believe he has a revolver and then a
15 couple of rifles. Well, probably four or five
16 rifles or BB guns too, so a total of four, five.

17 Q And does he have a Handgun Qualification
18 License?

19 A Perhaps so.

20 Q Do you know?

21 A I really don't know.

22 Q All right. Do you know when he obtained

1 A Oh, I apologize, yes.

2 Q You have seen this before?

3 A I have seen this before.

4 Q This is a copy of the First Amended
5 Complaint --

6 A Right.

7 Q -- that's been filed in the lawsuit on
8 your behalf. And in Paragraph 17 it alleges that
9 you would like to purchase a handgun for self
10 defense, target practice and other lawful
11 purposes. Do you see that?

12 A I do.

13 Q All right. When did you decide that you
14 wanted to purchase a handgun?

15 A When my daughter expressed an interest in
16 shooting.

17 Q And when was that?

18 A 2015.

19 Q And how old is your daughter?

20 A 14.

21 Q So in 2015 she would have been 11; is that
22 right? Yes?

1 deposed here today, so I'm not going to be
2 answering any questions --

3 A Okay.

4 Q -- unless it's to clarify something that I
5 asked you. So your father had a gun, a handgun
6 that he -- that you wanted to take ownership of;
7 is that correct?

8 A That would be correct.

9 Q That's after he died or?

10 A Yes.

11 Q What kind of a gun was it?

12 A A Colt 45.

13 Q And what year did he die?

14 A 2012.

15 Q And so what did you intend to do with the
16 Colt 45 other than just have it?

17 A There you go.

18 Q Nothing?

19 A Correct.

20 Q All right. But you now want to purchase a
21 handgun for self defense and target practice; is
22 that correct?

1 A Target practice.

2 Q Not for self defense?

3 A I can really not answer that question
4 because until you're in that position I don't know
5 that anybody could answer that question.

6 Q But my question is what is driving your
7 desire to purchase the gun, to use it for target
8 practice?

9 A To use it for target practice and, if so
10 needed, then to have it in my home.

11 Q And you first decided you wanted to do
12 this when your daughter in 2015 expressed an
13 interest in shooting; is that right?

14 A Yes, but I've not always lived in
15 Maryland, so I've not always had to think about
16 this. It's always been a right, not a chore to
17 own a handgun.

18 Q When did you move to Maryland?

19 A 2000. 2000.

20 Q All right. So but again, going back to
21 when you first decided that you wanted to purchase
22 a handgun, you testified that that was in 2015; is

1 that right?

2 A I've always wanted to purchase a handgun
3 but that's when I really thought about it.

4 Q Was there any particular reason you didn't
5 purchase it prior to 2015?

6 A It's always a money issue, it's always
7 something.

8 Q Well, what type of handgun do you want to
9 purchase?

10 A I don't know. We've looked at a Glock.
11 We've looked at a couple of others. I don't
12 really know yet.

13 Q Have you done any shopping for handguns?

14 A Not really. I've looked once in a while
15 but.

16 Q Have you looked -- have you gone to gun
17 stores to look at guns?

18 A I have been to gun stores. I usually look
19 online, though.

20 Q And what type of -- how much are you
21 willing to spend?

22 A That's the problem. I think three or \$400

1 would be our budget.

2 Q And you have sufficient funds available to
3 do that?

4 A Not right now. Well, yeah, it's a matter
5 of priorities.

6 Q Well, if you needed to could you spend
7 three or \$400 on a handgun?

8 A Yes.

9 Q Have you done any research to determine
10 what type of handgun would best suit your needs?

11 A Some research but not a lot.

12 Q What have you done?

13 A Just looked online.

14 Q What websites have you looked at?

15 A Sorry, I Google and I don't really look at
16 the websites.

17 Q Are you contemplating purchasing the gun
18 over the internet or would you go to a store to
19 buy it?

20 A Unfortunately, I probably would have to go
21 to a store, as I understand it. It has to be
22 through a handgun dealer.

1 Q What features do you believe a handgun
2 should have to best suit your needs?

3 MR. HANSEL: I'm going to object to the
4 relevance at this point but go ahead.

5 A Obviously, a safety. I don't think I
6 would -- I don't know. I haven't thought that far
7 ahead.

8 Q How did you learn that you needed a
9 Handgun Qualification License to purchase a
10 handgun in Maryland?

11 A My husband said something, knows about it
12 a little bit.

13 Q When was this?

14 A I don't remember the date.

15 Q Do you know what year it was?

16 A No.

17 Q Was it in -- well, you mentioned that you
18 didn't believe that you could take ownership of
19 your father's Colt 45 when he died in 2012,
20 correct?

21 A More like 2013. Yes, died in 2012 but
22 2013 I would say would be the year that we were

1 thinking.

2 Q What month did he die in in 2012?

3 A October.

4 Q So what happened to his handgun?

5 A It's in my mother's possession.

6 Q What is your understanding of what you
7 would need to do to obtain a Handgun Qualification
8 License?

9 A Fingerprints, background check, firearm
10 safety course.

11 Q And what is your source of that
12 information?

13 A The internet.

14 Q What specifically, what internet site?

15 A I believe I went to the Maryland State
16 Police site for that information.

17 Q And did you do that in 2013 or some other
18 time?

19 A Probably in 2013.

20 Q Are you sure of that?

21 A I'm not sure of the dates.

22 Q And what is your understanding of how much

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1 -- well, before we move on to that, so you said
2 fingerprinting, background check, training?

3 A Correct.

4 Q Anything else that you believe you need to
5 do to get an HQL?

6 A That was my understanding.

7 Q And what is your understanding of how much
8 it would cost you to obtain an HQL?

9 A Depending on the courses, like probably
10 \$400.

11 Q And what is your source of that
12 information?

13 A The internet.

14 Q Is that the State Police website or some
15 other source?

16 A External links to go look about classes
17 available.

18 Q All right. So have you done research to
19 determine how much it would cost to obtain an HQL?

20 A Didn't we just ask that question?

21 Q Well, it's a slightly different question.

22 A I went to the Maryland State website.

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1 Q All right. So of the \$400 can you break
2 that down for me in terms of what each component
3 would cost in your understanding?

4 A Estimates, the class is \$200, maybe a
5 little more. I think it's about 60 or so for the
6 fingerprinting. And the background check, I don't
7 know how much that is to be honest.

8 Q Have you done any research to determine
9 how much time you would need to devote to
10 obtaining the HQL?

11 A I have not done any research. I would
12 assume it would probably be 12 hours of training
13 with time but I have not done any research.

14 Q Have you contacted any instructors about
15 how much they would charge for the handgun safety
16 training?

17 A I have not.

18 Q Have you contacted any instructors about
19 how much it would cost for the handgun training?

20 A I have not.

21 Q Have you contacted anybody about having
22 your fingerprints taken for an HQL?

1 A I have not.

2 Q Have you ever hunted for food using a
3 handgun?

4 A I have not.

5 Q What's the shooting range that you've been
6 to with your daughter?

7 A I knew you were going to ask me that.
8 It's not Crest Up. I can tell you where it is. I
9 don't remember the name of it right now.

10 Q Where is it?

11 A It's in Frederick, Maryland.

12 Q And you said you've been there
13 approximately three times?

14 A Correct.

15 Q And you did not shoot a handgun there,
16 your daughter did; is that correct?

17 A That is not correct.

18 Q I'm sorry.

19 A That's okay. She's rifles right now.

20 Q Got it. But you did not fire any
21 firearm --

22 A That is correct.

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1 A Correct.

2 Q Any other time that you've been
3 fingerprinted?

4 A No.

5 Q Have you ever been -- have you ever
6 submitted to a background check?

7 A Just for school to volunteer,
8 volunteerism.

9 Q Other than that?

10 A No.

11 Q Have you conducted research to determine
12 the nearest location where you could be
13 fingerprinted for an HQL?

14 A There is a place in Frederick. Yes, I
15 have. There is a place in Frederick.

16 Q Have you conducted any search to determine
17 the nearest location where you could get the live
18 fire safety training required for an HQL?

19 A Yes. Well, I've looked. I have not --
20 online once again, and there is a facility in
21 Frederick.

22 Q Have you ever begun filling out an

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1 application for HQL?

2 A No.

3 MR. HANSEL: I've got a minor emergency in
4 my office. Do you mind if we go off for just five
5 minutes?

6 MR. SCOTT: Sure, fine.

7 (A recess was taken.)

8 BY MR. SCOTT:

9 Q Ms. Vizas, I just want to go back and
10 follow-up a little bit on the Colt 45 that you
11 were going to inherit from your father. You said
12 that it was in 2013 when you would have taken
13 ownership of that gun. Do you recall what month
14 that would have happened in?

15 A I do not recall the month.

16 Q All right. You mentioned the background
17 check that you underwent to be a volunteer at the
18 school. Did that include fingerprinting?

19 A No.

20 Q In the Complaint, which is Exhibit 2, in
21 Paragraph 16, it's alleged that you have taken and
22 passed hunter safety training. Do you see that?

1 A I do see that.

2 Q Is that correct?

3 A That is correct.

4 Q All right. When did you do that?

5 A I think it was 2016. I'd have to go back
6 and look.

7 Q It was in Maryland?

8 A Correct. The only reason I took it was
9 because I had to take my children to take it.

10 Q Your children wanted to take the same
11 class?

12 A Yes.

13 Q And did they do that?

14 A They did.

15 Q And what's your understanding of whether
16 or not that hunter safety training would qualify
17 as training in order to obtain an HQL?

18 A I guess my understanding is not quite
19 clear.

20 Q Have you done any investigation into that
21 question?

22 A I have not.

1 Q Have you talked to anybody about that?

2 A I have not.

3 Q How much did the hunter safety training
4 cost?

5 A I want to say it was like \$20 a person but
6 I'm not really sure.

7 Q How long did it take?

8 A It was two or three nights from like 6 to
9 9 and then like 9 to 2 on a Saturday.

10 Q So approximately eight or nine hours; is
11 that right?

12 A Yes, sir.

13 Q And did this particular training qualify
14 you to get a hunting license?

15 A It did.

16 Q All right. And was it required in order
17 for you to get a hunting license?

18 A Yes.

19 Q So you went to I guess a State approved
20 training session?

21 A I'm assuming so, it's the Izaak Walton
22 League, I believe it was.

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1 Q And so you reviewed these answers and
2 objections prior to signing them; is that right?

3 A I did.

4 Q Are you aware of the identity of any
5 specific individual who has been deterred from
6 purchasing a handgun due to the expense and
7 inconvenience of the HQL requirements?

8 MR. HANSEL: Are you asking other than
9 herself?

10 MR. SCOTT: Correct.

11 A I am not.

12 Q Are you aware of the identity of any
13 specific individual who has a urgent need for a
14 handgun but who, due to the expense and
15 inconvenience of HQL requirements, has been
16 deterred from purchasing a handgun?

17 A No.

18 MR. HANSEL: Again, the same question,
19 other than herself?

20 MR. SCOTT: Yes.

21 Q I'm sorry, I didn't get your answer.

22 A No.

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1 Q Are you aware of the identity of any
2 specific individual other than yourself who hunts
3 for food and is in need of a handgun but who, due
4 to the expense and inconvenience of the HQL
5 requirements, have been deferred from purchasing a
6 handgun?

7 A No.

8 Q Are you aware of the identity of any
9 specific individual who lives in an urban area
10 with no access to Maryland State Police certified
11 handgun trainers and/or a shooting range and is in
12 need of a handgun but who has been deterred from
13 purchasing a handgun by the HQL live firearm
14 requirement?

15 A No.

16 Q Are you aware of the identity of any
17 specific individual who lives in an area with no
18 access to Maryland State Police approved
19 fingerprint vendors and is in need of a handgun
20 but who has been deterred from purchasing a
21 handgun by the HQL fingerprint requirement?

22 A No.

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1 Q Are you aware of the identity of any
2 specific individual who is in need of a handgun
3 but lacks a computer or internet access in order
4 to complete the HQL application?

5 A No.

6 Q Are you aware of the identity of any
7 specific individual who has a need for a handgun
8 but is unable to complete the HQL application
9 because they lack access to a scanner?

10 A No.

11 Q Are you aware of the identity of any
12 specific individual who wishes to purchase a
13 handgun but is unable to do so because they cannot
14 comply with the HQL requirements because they lack
15 a credit or debit card?

16 A No.

17 Q Are you aware of the identity of any
18 specific individual who wishes to purchase a
19 handgun but cannot complete the HQL application
20 process because they lack a fixed address?

21 A No.

22 Q Are you aware of the identity of any

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1 specific individual who wishes to purchase a
2 handgun but is unable to complete the HQL
3 requirements because they lack a Maryland driver's
4 license or other Maryland State identification?

5 A No.

6 Q Can you please describe for me the
7 inconvenience that has deterred you from obtaining
8 an HQL?

9 A It's the expense end of the class.

10 Q The expense of the class?

11 A The class is an issue.

12 Q Anything else?

13 A No, not really. The time, though, is
14 another issue.

15 Q The time to what?

16 A The time to take the class, to get
17 fingerprints, to wait for a background check.

18 Q Well, what's your understanding of how
19 long it would take to complete the course?

20 A When you can fit it into your schedule.
21 The course is I think it's a few days but then
22 time on the range. I don't know how long that

1 would take.

2 Q You don't know?

3 A I don't know.

4 Q All right. Do you know how long the class
5 would take?

6 A I just said a few days, two days I'm
7 assuming.

8 Q Two full days?

9 A No. No, it's a 12-hour class, I believe.
10 I think you could do it in two days.

11 Q And what's your source of that
12 information?

13 A Well, the internet as always.

14 Q Is that the Maryland State Police website?

15 A External links to click through.

16 Q And what's your understanding of how long
17 it would take to be fingerprinted for the HQL?

18 A Just the time to go there, and I don't
19 know if you can schedule an appointment or not.

20 Q You're not sure?

21 A I am not sure.

22 Q So you don't know how long it would take?

1 A That is correct.

2 Q And what's your understanding of how much
3 time you would need to spend at the shooting range
4 in order to complete the training?

5 A I would imagine until you become
6 proficient, so who knows how long that could take.

7 Q So you're not sure?

8 A I am not sure.

9 Q So it's your understanding that you need
10 to fire the handgun at the shooting range until
11 you become proficient in order to obtain an HQL;
12 is that correct?

13 A I would hope that was correct, yes.

14 Q That's what your understanding is?

15 A That's what my understanding is.

16 Q Have you had any verbal communications
17 with anyone at Maryland State Police about the
18 HQL?

19 A No.

20 (S. Vizas Deposition Exhibit 4 was marked
21 for identification and retained by counsel.)

22 (The following portion from Page 46, Line